

### REMARKS

In response to the Office Action mailed February 4, 2002, Applicant respectfully requests that the Examiner reconsider the rejection of Claims 1-7, 10-21 and 25-30 reconsider the rejection of the Claims.

Independent Claims 1, 10, 17 and 25 stand rejected under 35 U.S.C. §103(a), as being unpatentable over *Hsu* (U.S. Patent No. 4,249,095). Applicant respectfully traverses these rejections

Applicant respectfully notes that an Examiner can only satisfy the burden of obviousness in light of combination by showing some objective teaching leading to the combination. Broad conclusory statements regarding the teaching of multiple references standing alone are not evidence; there must be particular findings regarding the locus of the suggestion, teaching, or motivation to combine prior art references. *In re Dembiczak*, 50 USPQ2d 1614, 1617 (Fed. Cir. 1999). The Examiner has not met this burden in the present instance.

Independent Claim 1 includes a limitation that the drive circuitry produce left, right and common mode output signals that are *each dependent upon a combination of the left and right channel input signals* so that clipping effects are reduced. (Emphasis added) Independent 10, 17 and 25 similarly require the production of first, second and common mode output signals that are each dependent upon a combination of first and second input signals so that clipping effects are reduced. This feature is not taught or suggested by *Hsu*.

As an initial matter, the Examiner has not produced objective evidence of combining the teaching of *Hsu* in an audio driver circuitry to prevent clipping. The broad conclusory statements that it would be obvious to provide "an amplifier and / or driving circuitry with a common mode output signal for the purpose of producing an additive output signal" and "wherein in modification the concept of reducing clipping is inherently taught" are not sufficient objective evidence to support rejection of the claims.

Most importantly, assuming that the *Hsu* teachings could be applied to an audio driver, one skilled in the art still would not arrive at the invention of Claims 1, 10, 17 and 25. Specifically, the passage from *Hsu* at Col. 1, Lines 47 - 61 cited by the Examiner only states that the input signals V1 and V2 are summed in a quasi-differential fashion to produce the output at Node 11 in Figure 1. In other words, *Hsu* takes two input signals and produces a single output signal. He does not teach or suggest how to generate left, right and common mode audio signals each dependent on left and right input signals.

Hence, Independent Claims 1, 10, 11, and 25, along with rejected dependents 2-5, 7, 10-11, 15-18, 20-23, and 26-30, are allowable.

Claims 6, 12-14 and 19 stand rejected under 35 U.S.C. §103(b), as being unpatentable over *Hsu* in view of *Tran* (U.S. Patent No. 5,631,606). Applicant respectfully traverses the rejections based on the combination of *Hsu* and *Tran*, based on the discussion above and the following comments.

*Tran* shows a differential driver for low-impedance output loads, such as an audio speaker. His circuit has a pair of differential outputs OUTP and OUTN referenced to a common mode voltage (cm). *Tran*, however, also does not output three signals dependent on a pair of input signals.

No new matter has been added, merely amended to more particularly point out and distinctly claim the subject matter Applicant believes is inventive.

Applicants respectfully submit that the Claims as they now stand are patentably distinct over the allowed Claims of the parent application and the art cited during the prosecution thereof.

With the addition of no new claims, no additional filing fees are due. However, the Commissioner is hereby authorized to charge any fees or credit any overpayment to Deposit Account Number 23-2426 of WINSTEAD SECHREST & MINICK P.C.

ATTORNEY DOCKET NO.  
0600-CS


PATENT  
U.S. Ser. No. 09/079,864

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If the Examiner has any questions or comments concerning this paper or the present application in general, the Examiner is invited to call the undersigned at (214) 745-5374.

Respectfully submitted,

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